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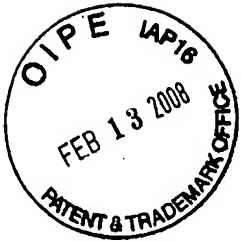
PTO/SB/21 (01-08)
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|---|------------------------|------------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/811,226-Conf. #1072 |
| | Filing Date | March 26, 2004 |
| | First Named Inventor | Hermann Wagner |
| | Art Unit | N/A |
| | Examiner Name | Not Yet Assigned |
| Total Number of Pages in This Submission | Attorney Docket Number | C1041.70005US01 |

| ENCLOSURES (Check all that apply) | | |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard |
| <div>Remarks</div> | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|--------------------------------|----------|--------|
| Firm Name | WOLF, GREENFIELD & SACKS, P.C. | | |
| Signature | <i>Helen C. Lockhart</i> | | |
| Printed name | Helen C. Lockhart | | |
| Date | February 11, 2008 | Reg. No. | 39,248 |

| Certificate of Mailing Under 37 CFR 1.8(a) | |
|--|---|
| I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. | |
| Dated: February 11, 2008 | Signature: <i>Sharon R. Lloyd</i> (Sharon R. Lloyd) |



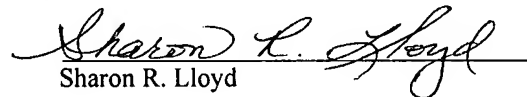
DOCKET NO.: C1041.70005US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hermann Wagner et al.
Serial No.: 10/811,226
Confirmation No.: 1072
Filed: March 26, 2004
For: PHARMACEUTICAL COMPOSITIONS COMPRISING A
POLYNUCLEOTIDE AND OPTIONALLY AN ANTIGEN
ESPECIALLY FOR VACCINATION
Examiner: Not Yet Assigned
Art Unit: Not Yet Assigned

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 11th day of February, 2008.


Sharon R. Lloyd

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing of a first Office action on the merits in the above-identified case.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The Applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

| <u>Serial No.</u> | <u>Filing Date</u> | <u>Inventor(s)</u> | <u>Docket No.</u> |
|-------------------|--------------------|--------------------|-------------------|
| 11/598,207 | 11-10-2006 | Krieg et al. | *C1039.70048US24 |
| 11/629,106 | 12-08-2006 | Lipford et al. | *C1041.70027US01 |
| 11/706,561 | 02-15-2007 | Uhlmann et al. | *C1041.70046US02 |
| 11/725,339 | 03-19-2007 | Schetter et al. | *C1041.70019US01 |
| 11/810,353 | 06-05-2007 | Krieg et al. | *C1039.70048US25 |
| 11/901,712 | 09-17-2007 | Schetter et al. | *C1039.70069US01 |
| 11/983,039 | 11-06-2007 | Rittershaus et al. | *C1037.70072US01 |

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

Serial No.: 10/811,226
Conf. No.: 1072

- 3 -

Art Unit: Not Yet Assigned

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By:



Helen C. Lockhart, Ph.D., Reg. No. 39,248
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Telephone: (617) 646-8000

Docket No.: C1041.70005US01
Date: February 11, 2008
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